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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,751	02/13/2004	Tak-soo Kim	116511-00123	1146
27557	7590	10/23/2006	EXAMINER	
BLANK ROME LLP 600 NEW HAMPSHIRE AVENUE, N.W. WASHINGTON, DC 20037				SNIDER, THERESA T
		ART UNIT		PAPER NUMBER
				1744

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/777,751	KIM, TAK-SOO
	Examiner	Art Unit
	Theresa T. Snider	1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-10 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 and 5-8 is/are rejected.
- 7) Claim(s) 4 and 9-10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/3/2005
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: S(fig. 3). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "25"(page 2, line) and "26"(page 2, line 10) have both been used to designate extension pipe. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior

version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities:

Exemplary of such:

Page 7, line 22, '213' should be inserted after 'recesses'.

Appropriate correction is required.

***Claim Objections***

5. Claims 3-4 and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 3 and 10 fail to further structurally limit the apparatus but define a process of making the apparatus.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Exemplary of such:

Claim 7, it is unclear as to what is meant;

Lines 2-3, it is unclear as to what is meant by 'the connection member'.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-2 are rejected under 35 U.S.C. 102(a,e) as being clearly anticipated by Berfield. Berfield discloses a connection member body having one end connected to an extension pipe and another end connected to a flexible hose (fig. 1, #14, col. 4, lines 28-33). Berfield discloses a clamping part integrally formed with the body (fig. 3, #38, col. 5, lines 63-67).

With respect to claim 2, Berfield discloses the body having an extension pipe fixing portion and a flexible hose coupling portion (fig. 2, #20,42).

10. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kim. Kim discloses a connection member body having one end connected to an extension pipe and another end connected to a flexible hose (fig. 6, #200,134,132). Kim discloses a clamping part integrally formed with the body (fig. 1, #356). With respect to claim 2, Kim discloses the body having an extension pipe fixing portion and a flexible hose coupling portion (fig. 1, area near #135, 314, col. 5, lines 54-56).

11. Claims 1-2 and 5 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by JP11-099099.

JP11-099099 discloses a connection member body having one end connected to an extension pipe and another end connected to a flexible hose (fig. 2, #200,134,132).

JP11-099099 discloses a clamping part integrally formed with the body (fig. 1, #10,13). With respect to claim 2, JP11-099099 discloses the body having an extension pipe fixing portion and a flexible hose coupling portion (fig. 1, unnumbered area to left of #3, unnumbered area above #10).

With respect to claim 5, JP11-099099 discloses the clamping part including a clamping arm (fig. 1, #10).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berfield.

Berfield discloses a similar vacuum cleaner however fails the process of manufacture.

Berfield discloses the two portions being integral with the body (fig. 2, #40,42). It would have been obvious to one of ordinary skill in the art to determine the most appropriate process of manufacture of Berfield to allow for the greatest ease in manufacture and conservation in cost.

15. Claims 1-3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP2000-070188.

JP2000-070188 discloses a similar vacuum cleaner however fails to disclose an integral clamping part.

JP2000-070188 discloses a connection member body having one end connected to an extension pipe and another end connected to a flexible hose (fig. 1, #5,2,6).

JP2000-070188 discloses a clamping part on the body (fig. 2, #8). It would have been obvious to one of ordinary skill in the art to make the clamping part of JP2000-070188 integral with the body because to form into one piece something that was formerly formed in two pieces involves only routine skill in the art.

With respect to claim 2, JP2000-070188 discloses the body having an extension pipe fixing portion and a flexible hose coupling portion (fig. 2, #51a,51b).

With respect to claim 3, JP2000-070188 discloses the two portions being integral with the body (fig. 2, #40,42). It would have been obvious to one of ordinary skill in the art to determine the most appropriate process of manufacture of JP2000-070188 to allow for the greatest ease in manufacture and conservation in cost.

With respect to claim 5, JP2000-070188 discloses the clamping part including a clamping arm (fig. 2, #8).

With respect to claim 6, JP2000-070188 discloses the clamping arm including an inner peripheral surface formed in correspondence with the outer surface of an accessory (fig. 5, #83).

With respect to claims 7-8, JP2000-070188 discloses the clamping arm having a symmetrical circular opening (fig. 5, #83).

***Allowable Subject Matter***

16. Claims 4 and 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tuvin et al. discloses a vacuum cleaner having a connection member body having a clamping part, removable from the body. JP11-318775, JP2000-070187 and WO03/0001003 disclose a vacuum cleaner having a connection member body having a clamping part.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Theresa T. Snider*

Theresa T. Snider  
Primary Examiner  
Art Unit 1744

10/10/06